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ART UNIT	PAPER NUMBER
3622	

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Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/788,486	SAZAWA ET AL.
	Examiner	Art Unit	
	Arthur Duran	3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *23 May 2006*.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-23,26 and 27* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-23, 26 and 27* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All   b) ☐ Some * c) ☐ None of:

      1. ☐ Certified copies of the priority documents have been received.

      2. ☐ Certified copies of the priority documents have been received in Application No. _____.

      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-23, 26 and 27 have been examined.

Response to Amendment

2.   The Amendment filed on 5/23/06 is sufficient to overcome the prior rejection. A new

reference has been added to the 35 USC 103 rejection.

Continued Examination Under 37 CFR 1.114

3.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR

1.17(e), was filed in this application after final rejection. Since this application is eligible for continued

examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the

finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's

submission filed on 5/23/2006 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-23 and 26, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Aho (6,256,043) in view of Gerace (5,848,396) in view of Shtivelman (6,346,952) in view of

Lokuge (2006/0122917).

Claim 1, 3-11, 13-23, 26 and 27: Aho discloses a method, medium for managing an

imaginary store on a network, comprising:

a first step of displaying the imaginary store in response to client's request,

a second step of setting a chat channel between a salesperson and the client in response to

selection of a product object by the client in said imaginary store, and displaying character data

in a chat that they have (col 2, lines 17-30; col 2, lines 41-55; col 8, line 62-col 9, line 5),

and adapting the environment and images to best fit a particular user (col 2, lines 17-27).

Aho does not explicitly disclose selecting an attribute object of a corresponding product

on the basis of a key word in said chat.

However, Gerace further discloses monitoring user communication, activity, and

messages and presenting different attribute objects based upon user communications (col 16,

lines 37-55; col 2, lines 43-55; col 10, lines 40-52). Note that the color of advertisements or the

topic of advertisements constitutes different attributes for the object.

Gerace further discloses the user making purchases of items (col 2, lines 37-43; col 22,

lines 53-65) and adapting content, presentation, display, format, subject matter attributes of items

(col 17, lines 1-17).

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to add Gerace's selecting an attribute object of a corresponding product

on the basis of a key word in said chat to Aho's customizing the attributes of the presentation

based on user qualities. One would have been motivated to do this in order to provide items of interest to a user in a format of interest to a user.

Gerace further discloses displaying plural attributes that can be selected from said product attribute object and reflecting an attribute selected from said plural attributes on product object presentation (col 16, lines 37-67). Note that displaying ticket information on plane flights to Detroit, or to New York, or to Boston based upon the user communication is varying the product (tickets) attribute (destination).

Gerace further discloses recording a log of the chat between said client and the salesperson and then analyzing the recorded chat log to perform marketing (col 2, lines 5-30; col lines 35-42).

Gerace further discloses extracting a key word from the recorded chat log and dispatching an advertisement corresponding to the extracted key word to a client (col 16, lines 37-67; col 17, lines 37-52).

Gerace further discloses the key word is searched from the content of the client's chat and an advertisement list wherein product data corresponding to the key word and client data are combined is prepared (col 16, lines 37-67).

Gerace further discloses supplying a chat channel between clients, recording a log of chats, and then analyzing the recorded chat log to perform marketing (col 10, lines 23-50).

Aho further discloses users chatting (col 2, lines 30-35) and utilizing a chat channel to have a chat with another client (col 12, lines 49-58).

Gerace further discloses collecting further data from a user (col 11, lines 24-56) and collecting data from a user upon selling a product (col 2, lines 37-42).

Gerace further discloses specials provided to the user and targeting areas of interest to the user (col 9, lines 7-14).

a reward or a privilege is supplied to the client supplying the cut-out data (col 9, lines 7-14).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Gerace's providing specials or rewards to Aho's user performing virtual shopping customized to the user. One would have been motivated to do this in order to better attain user information for better customizing towards a user.

Gerace further discloses displaying plural colors, plural shapes and plural display positions as the plural attributes that can be selected from said product attribute object and reflecting a specific attribute selected from said plural attributes on an image of said product object (col 6, lines 30-40; col 2, lines 16-22).

Additionally, Aho discloses shopping and that the store the user enters can be customized based on the user who enters:

"(9) As another example, the user could enter a store which popped out of the video, and engage in virtual shopping therein. In accordance with an aspect of the invention, the particular store which is actually entered may be customized on a per user basis. Thus, for different users who are traversing the same course and seeing the same representations, e.g., an avatar, of a store or vendor cart that popped out from the video, who the particular vendor is that will serve the user and provide him with the virtual shopping service may be different for different users" (col 2, lines 16-25).

Aho discloses the user utilizing a chat service for shopping purposes, targeting content to the user, and targeting a communication to a user:

"(10) In accordance with another aspect of the invention, when the proprietor of a virtual store, or his representative, e.g., electronic agent, detects the avatar of one or more persons in the vicinity of, e.g., passing, the avatar of a store for which such proprietor's store corresponds to the virtual store for such passing persons, a message, such as an advertisement, or other communication, such as opening a communication channel, e.g., a chat <u>service</u> or voice communication channel, may be transmitted to, or initiated with, such passing persons. The communication may be general in nature or it may be <u>customized</u> as a function of information available regarding the passing persons. Advantageously, a feeling of community may be engendered in the virtual environment" (col 2, lines 41-55).

Shtivelman discloses selecting an attribute of a corresponding product on the basis of a key word extracted real time from information of a chat currently underway (Fig. 8 and below):

"(47) Threaded dialog may assume other <u>characteristics</u> aside from being reserved for a particular <u>customer</u>. Instead of being assigned to a particular <u>customer,</u> a thread may be assigned a <u>product</u> line or specific <u>product</u>. Therefore any communication center interaction concerning that <u>product</u> line or <u>product</u> would be contained in the thread. There are no limits to categorization or association rules. A variety of known technologies such as voice to text recording, optical character recognition (OCR), object linking and embedding (OLE), or even human-assisted translation may be used to convert interactions into threaded text accounts (col 12, lines 5-15);

(74)   At step 133 a parsing engine such as parser 115 of FIG. 5 parses a message for

content. As previously described, keywords such as nouns, verbs, product names, platform

types, etc are parsed from the message. Sentence structure and punctuation may also be

considered. Also in step 133, a KB such as KB 117 is consulted for matching semantics. KB

117 may store standardized query/response pairs that have been standardized from actual

query/response pairs studied from chat history. KB 117 may only contain matching queries and

associated response codes that are linked to responses contained in a history database, or

standardized responses held separately. There are many possibilities (col 16, lines 21-34);

(103)   Intelligent parsing of all incoming queries may be set up by rule such that

keywords about customers may be obtained from a customer database based on customer

identification in a chat session. Moreover, keywords related to additional products that are

discussed may be checked against a product database containing product descriptions.

Additional product keywords appearing in column 177 would result from keywords extracted

from query dialog and matched against a product database.

(104)   Like keywords contained in column 175, those additional keywords appearing in

column 177 may expire after a preset number of query/response pairs have been posted with the

exception of the title keyword X 10 scanner. Alternatively, such keywords may remain in view

throughout the duration of a session. For example, the keyword X5 scanner appears as a result

of Mary's query asking if there is a miniature model that she can buy. Another product keyword

keyboard appears as a result of parsing Jim's query containing the word keyboard. The second

product keyword is not related to the title X10 scanner, however it appears because the

company hosting the session may also have a line of compatible keyboard products. In this

case, retaining <u>product keywords</u> developed over a duration of a <u>chat</u> session may help

administrators to better title a particular <u>chat</u> session for future applications.

(105) In a preferred embodiment of the present invention, generation of a

<u>keyword</u> summary along with client <u>keywords and product keywords</u> particular to a

<u>chat</u> session is accomplished in integration with methods taught in the co-related patent

applications. However, in an alternate embodiment, the generation of such keywords may be

accomplished for a particular chat session by providing a parsing function either in a server

hosting the session, or in an agent's desktop chat application. For example, if there are more

than one chat session ongoing in a chat server, then parsing function at the server may

be constructed to automatically monitor dialog (query and response) for each separate session

and extract keywords from the monitored dialog according to rule such that the keywords

appear in window 163. The same would apply at the agent's desktop. The only difference

would be that keywords would only be saved during the time that they are allowed to reside in

columns 175-177" (col 20, line 65-col 21, line 41).

Shtivelman further discloses that the chat features can be utilized in any chat type

environment:

"(7) One IPNT medium is the well-known chat session. A chat session is facilitated by

software at each client station and at a communications server hosted somewhere in an Internet-

Protocol (IP) data network (typically the Internet). A chat session is typically hosted by a

facilitator or session leader, which controls the rules and regulations governing each session.

Typically a session master has controls provided to him that enable him to mute other

participants, eject certain individuals from a session, direct the topics, and so on (col 1, lines 55-65);

(107)   It will also be apparent to one with skill in the art that the method

and apparatus of the present invention may be practiced in virtually any standard chat

environment without benefit of central routing control or automated response systems without

departing from the spirit and scope of the present invention. All that is required to provide a

revolving summary of dialog keywords is a session monitor and a keyword parser, which may

be provided either at a server location or in a desktop chat application;

(108)   The method and apparatus of the present invention may be practiced in

any IP communication-center environment or in any IP chat environment without departing

from the spirit and scope of the present invention. Therefore the present invention should be

afforded the broadest scope. The methods and apparatus of the present invention are limited

only by the claims that follow" (col 21, line 50-col 22, line 10).

Therefore, it would have been obvious to one having ordinary skill in the art at the time

the invention was made to add Shtivelman's providing relevant information or based on real time

chat analysis and keywords to Aho's providing custom shopping experiences or advertising

based on possible user preferences, interests, or characteristics. One would have been motivated

to do this in order to provide content that is relevant to the user's recent or current interests.

Additonally, Aho further discloses adapting the objects for sale at the virtual store based

on information concerning the user:

"[Claim] 10. The invention as defined in claim 1 wherein said object is a <u>store</u>
selected from among a plurality of <u>stores</u> as a function of a location of said
viewer and said additional information is relevant to objects for sale at said
<u>store</u>.

[Claim] 11. The invention as defined in claim 1 wherein said object is a <u>store</u> selected from among a plurality of <u>stores</u> as a function of specified parameters of said viewer and said additional information is relevant to objects for sale at said <u>store</u>" (col 10, lines 35-43).

Also, in regards to claim 6, Gerace further discloses displaying advertisements based on the keywords involving user communications and user chat (col 10, lines 23-52; col 16, lines 45-50).

Additionally, Aho does not explicitly disclose adjusting or modifying display of an image of a product in accordance with a keyword extracted during a chat (claims 1, 11, 18 and 21-23) and providing first and second display of the product (claim 26) or that the key word is searched from the content of the client's chat and an advertisement list and product data corresponding to the key word and client data are combined is prepared (claim 7) or modifying information of a product presented to the user without requiring input of said specified salesperson and the user participating in the chat based on keyword extracted during the chat (claim 27).

However, Lokuge discloses adjusting or modifying display of an image of a product in accordance with a keyword extracted during a chat and providing first and second display of the product or that the key word is searched from the content of the client's chat and an advertisement list and product data corresponding to the key word and client data are combined is prepared or modifying information of a product presented to the user without requiring input of said specified salesperson and the user participating in the chat based on keyword extracted during the chat. Lokuge discloses dynamically and/or automatically adjusting the display of products including which products are displayed in a virtual store based upon the interactions or

actions of a user in a virtual store including the interactions based

communications/discussions/chat (Figures 2, 3, 4, 5, 6, 7 and the below citations):

"[0056] According to a specific embodiment, the technique of the present invention also allows for dynamic space generation of product displays in real-time. According to one implementation, dynamic space generation may include creating customized product layouts of virtual floor spaces in real-time based on specific criteria such as, for example, user preferences, inventory levels, special promotions, etc. Customers may also impact the layout and generation of floor spaces based on their interaction and/or shopping history with the electronic commerce system.

[0034] Additionally, as described in greater detail below, characters and/or symbols may be used to visually represent each or a selected portion of the on-line customers who are currently shopping or browsing the virtual store web space. The location of the other on-line customers may be visually displayed to a user, thereby enhancing the user's on-line shopping experience. According to one implementation, the user may choose to interact (e.g. chat or speak) with other near by on-line shoppers in order to obtain, for example, informal advice, product reviews, etc. The spatial context of such interactions enable users to obtain contextually relevant information from other on-line users in real-time. For example, a user who is browsing in the digital camera department portion of the virtual store web space may see that other on-line customers are also browsing the digital camera department portion of the virtual store web space, and may choose to ask one or more of these other on-line customers for product reviews or other recommendations relating to digital cameras.

[0056] According to a specific embodiment, the technique of the present invention also allows for dynamic space generation of product displays in real-time. According to one implementation, dynamic space generation may include creating customized product layouts of virtual floor spaces in real-time based on specific criteria such as, for example, user preferences, inventory levels, special promotions, etc. Customers may also impact the layout and generation of floor spaces based on their interaction and/or shopping history with the electronic commerce system.

[0060] Additionally, the user tracking information may be logged and processed in order to provide historical views of the products which each user or customer has viewed, either during the current shopping session, and/or previous shopping sessions. According to a specific embodiment, the reporting capabilities of the present invention keep track of all customer interaction behaviors, and summarizes results for subsequent viewing.

[0066] According to one implementation, a sales agent employed by the on-line merchant may monitor the customer activity within all or a designated portion of the virtual floor space, and offer real-time sales assistance to customers

located in congested regions of the floor space. For example, in one
embodiment, a sales agent may see, in <u>real-time,</u> that region 520a and
relatively congested with customer activity, and in response, may broadcast a
<u>chat</u> message, in <u>real-time,</u> to each of the customers within region 520a,
offering to assist the customer, if he or she desires.

[0070] Another problem with conventional electronic commerce techniques relates
to restricted capabilities for guided and/or automated sales processes.
Typically, conventional models for on-line shopping are based on a one-to-one
sales model, wherein, a given on-line sales <u>agent</u> can communicate (e.g. via
telephone or "<u>chat</u>") with a single customer at a time to resolve any problems
that customer may have. While this model works well for one-to-one
<u>interaction,</u> it does not support a flexible methodology for one-to-many sales
and customer service <u>interaction.</u>

[0071] The technique of the present invention provides a solution for enabling
on-line merchants to provide enhanced capabilities for guided and/or automated
sales processes. For example, according to a specific embodiment, sales and/or
customer service <u>agents</u> may be provided with the ability to implement
one-to-many type <u>interactions</u> with customers using a guided tour feature of the
present invention. According to one implementation, the guided tour feature of
the present invention enables an entity (e.g. sales <u>agent,</u> customer service
<u>agent,</u> automated <u>agent,</u> customer, etc.) to guide one or more customers through
the <u>virtual</u> floor space, wherein the location of each customer's proxy is
temporarily controlled by the entity leading the tour. As each customer is
guided through the tour, the display in each customer's browser window will
change as that customer's proxy location is moved. Tours may be scheduled at
stipulated times, or on an "as needed" basis. According to different
embodiment, the tours may be statically configured along predetermined paths,
or may be <u>dynamically</u> generated in <u>real-time</u> based on customer feedback, for
example. Additionally, the members of the tour group may be guided
simultaneously to the same locations in the tour, or alternatively, different
members of the tour group may be allowed to be at different stages in the tour
at any given time.

[0072] The technique of the present invention may also be configured to
implement automated or "bot-guided" tours. In one implementation, such tours
may be fully automated to be executed by programmable, automated <u>agents</u> (herein
referred to as "bots"). According to a specific embodiment, automated tours
may be created within the electronic commerce platform of the present invention
by generating "bot-proxies" that are controlled by a program instead of a real
person. According to a specific implementation, the bot-proxies and their
behavior may be configured to resemble that of a real person to give the
impression to the customer(s) that their <u>interacting</u> with a real person. This
is shown, for example, in FIG. 7 of the drawings.

[0073] FIG. 7 shows an example of a bot-proxy 702 in accordance with a specific
embodiment of the present invention. As shown in the example of FIG. 7, the

bot-proxy 702 is represented as a proxy much like a sales person would be represented. The communication portion 704 corresponds to a narration or message by the sales person or bot, and may include textual, audio and/or video information which is displayed to the customer. A program may be used to control the location of the bot-proxy, as well as the communications from the bot-proxy to the customer(s). In one implementation, such communications may resemble ordinary sentences similar to those which may be generated by a real person assisting the customer(s). In a specific embodiment, movements and text messages may be generated by the program and sent to a spatial <u>chat</u> server, which forwards them as necessary to nearby users in the landscape to give the appearance of another customer or <u>agent in the virtual</u> floor space.

[0074] According to specific embodiment, customers make elect to join a bot-guided tour by clicking on an appropriate symbol or link (herein referred to as a "follow me" link) displayed in the customer's browser window. In specific embodiments where a bot-proxy is programmed to follow a preprogrammed path, and provides uses a "follow me" link to join the tour, the bot-proxy can lead members of the tour on a "tour" of the <u>virtual</u> store. As the bot moves around the <u>virtual</u> space, those customers who have elected to join the tour by clicking on the "follow me" link will have their locations and screens <u>automatically</u> synchronized with the tour leader. Additionally, according to a specific implementation, the location of the tour leader's proxy may be broadcast to nearby customers, including, if desired, customers who are not members of the tour.

[0076] In at least one implementation, a bot may be configured to respond to input from customers or tour members. For example, if a customer submits a specific request to the bot, (e.g., "Where are the shoes?"), the bot may be configured to <u>dynamically</u> generate and display an appropriate response to the requesting customer (based, for example, on a contextual and/or content analysis of the customer's request) and/or guide the requesting customer's proxy to appropriate locations within the <u>virtual</u> store."

Also, note in Lokuge that the product displays can be dynamically generated based on user interactions and that user interactions can include chat that is tracked for contextual and/or content analysis. Also, note in Lokuge that different features of products, product styles, and product categories ('soccer mom', 'girl next door') can be displayed (Figure 4 and Figure 5).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Lokuge's dynamic product display in a virtual store based on user

interaction and action where the user interaction can include chat to Aho's presenting objects in a

virtual store based on anticipated user interest. One would have been motivated to do this in

order to present the items and features of items that are more relevant to particular users and

thereby better attain user interest.

Claim 2, 12: Aho and Gerace and Shtivelman and Lokuge disclose the method according

to claim 1. Aho further discloses said second step, when the client selects the salesperson in the

imaginary store, the chat channel between the selected salesperson and the client is set, and

when the client selects the product, the chat channel between a salesperson in charge and the

client is set (col 2, lines 42-55; col 8, line 62-col 9, line 5).

Response to Arguments

5.   Applicant's arguments with respect to claims 1-23 and 26 have been considered but are

moot in view of the new ground(s) of rejection. Please particularly note the addition of the

Lokuge reference above.

On page 11 of the Applicant's Remarks dated 5/23/2006, Applicant states, "The cited

references, alone or in combination, do not teach or suggest "adjusting" or "modifying" display of

an image of a product in accordance with a keyword "extracted" during a chat" (claims 1, 1 1, 18

and 21-23) and providing "first and second display of the product" (claim 26) including the

above-identified features of the claims."

Applicant further states on page 11, "claim 7 recites, "the key word is searched from the

content of the client's chat and an advertisement list and product data corresponding to the key

word and client data are combined is prepared". The cited references, alone or in combination do

not teach or suggest these features of claim 7."

Applicant further states on page 11, "The cited references, alone or in combination, do

not teach or suggest modifying information of a product presented to the user "without requiring

input of said specified salesperson and the user participating in the chat" based on "keyword

extracted (during) the chat", as recited in new claim 27.

Please see the addition of the Lokuge reference above to see how the combination of the

prior art renders these features obvious. Please particularly note the section in the rejection

above starting with, "Additionally, Aho does not explicitly disclose adjusting or modifying

display of an image of a product in accordance with a keyword extracted during a chat. . ." thru

to the end of the rejection of the independent claims.

Examiner further notes that it is the Applicant's claims as stated in the Applicant's claims

that are being rejected with the prior art. Also, although the claims are interpreted in light of the

specification, limitations from the specification are not read into the claims. See *In re Van

Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). And, Examiner notes that claims are

given their broadest reasonable construction. See *In re Hyatt*, 211 F.3d 1367, 54 USPQ2d 1664

(Fed. Cir. 2000).

Examiner notes that while specific references were made to the prior art, it is actually

also the prior art in its entirety and the combination of the prior art in its entirety that is being

referred to. Also, one cannot show nonobviousness by attacking references individually where

the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208

USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Conclusion

The following prior art made of record and not relied upon is considered pertinent to

applicant's disclosure:

a) Kusumoto (2005/0216346) discloses chat, virtual reality and product display;

b) Kjallstrom (2002/0010655) discloses dynamic product display;

c) Thompson (2004/0068485) further discloses dynamic advertising presentation related
to interactions related to products:

["0110] Audio/Visual Presentations can also be included as an integral part of
the exemplary system. Sound, video or both media combined can be utilized to
present, promote or enhance the client company and its products. Examples of
this kind of information include videos of manufacturing processes, product
installation procedures, or sales and marketing presentations. Audio
information can include theme music or sound tracks, which complement video
information.
[0108] Referring to FIG. 24, this exemplary embodiment of the invention can
include a Product Line Review function. The Product Line Review offers
manufacturer and product line information 88, as well as general industry
information 88, as it relates to the manufacturer's product line. Product Line
Review is typically derived from each manufacturer's sales and marketing
catalog(s), promotional brochures and other printed materials. Product Line
Review can include fall color or black & white scanned images 90, product
features and benefits (as text descriptions), line drawings, technical
illustrations and other appropriate product information.
[0120] The portal provides the central services for its participating members,
providing news, advertisements, means for communication between members. The
portal also provides a member-to-member commerce channel providing product
offerings, configuration tools, ordering and purchasing mechanisms. Fees can
be charged for membership to the portal, advertisements viewed or displayed on
the portal, or as part of any member-to-member commerce transactions.
[0121] The portal can be an authoritative point of information about a given
product market or focused to a specific group within the vertical market. The
software package creating the portal can be a suite of Web applications
enabling the creation of e-commerce communities for business customers.
Virtual communities can be created through this portal where customers within
the vertical market can shop, learn, play and explore common interests. This
portal can incorporate the configuration-related system described heretofore.
The portal can be accessible to those with market-specific expertise, and in
return for membership in the portal, the participants can provide much of the

content themselves in the form of <u>advertising,</u> news, discussions, sales, etc. as shown in FIG. 30.

     20. In an Internet portal for use by manufacturers, distributors, dealers, retailers, and retail customers as participants in a vertical <u>market,</u> a method of distributing news, product information, <u>advertising,</u> discussion forums, and e-commerce transactions, wherein participants gain access to a configuration system that allows users to configure products and services as projects such that projects so configured are automatically transmitted to selected participants for bid, quote, sales, and ordering of the configured projects."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur Duran whose telephone number is (571) 272-6718. The examiner can normally be reached on Mon- Fri, 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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6/8/2006